

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:24-cv-00398

Jay Williams,
Plaintiff,

v.

Department of Justice,
Defendant.

ORDER

Plaintiff Jay Williams, proceeding pro se, filed this civil lawsuit in the United States District Court for the Western District of Pennsylvania. He did not pay the filing fee. At the time of filing, plaintiff was an inmate of the Henderson County Jail. The case was transferred to this court for proper venue and referred to United States Magistrate Judge K. Nicole Mitchell pursuant to 28 U.S.C. § 636(b).

On October 24, 2024, the magistrate judge issued a report recommending that the court bar plaintiff from proceeding *in forma pauperis* pursuant to 28 U.S.C. § 1915(g) and dismiss this case as barred by the sanctions previously imposed by this court, which prohibit him from filing any lawsuit without representation by licensed counsel and full prepayment of the filing fee. Doc. 5. A copy of the report was mailed to plaintiff's address. He did not file written objections.

When no party objects to the magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation. Plaintiff is denied leave to proceed *in forma pauperis*, and this case is dismissed without prejudice. Any pending motions are denied as moot.

Lastly, “the obligation of a filing fee attaches at the time of filing and the obligation remains despite the disposition of the case.” *Johnson v. Rhodes*, 220 F.3d 587, 2000 WL 960495, at *1 (5th Cir. Jun. 14, 2000) (unpublished). Because plaintiff is ineligible to proceed *in forma pauperis*, he owes the full filing fee of \$405, which the magistrate judge shall assess by separate order.

So ordered by the court on February 6, 2025.

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER
United States District Judge